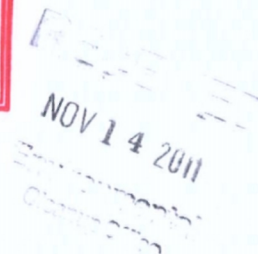
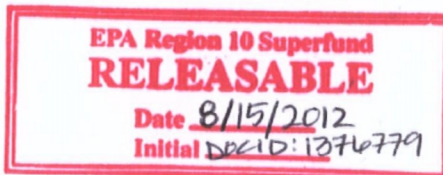




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WA CONTRACTOR'S LICENSE #MANSOCC032M1 • FAX (206) 764-8595

LDWSF
12.3.148.1
11/14/2011



November 14, 2011

To: United States Environmental Protection Agency, Region 10
Aaron Lambert, Environmental Protection Specialist
Environmental Cleanup Office. ECL-111
1200 Sixth Ave. Suite 900
Seattle, Washington 98101

Re: Response to Supplemental Request for Information Pursuant to Section 104(e) of CERCLA,
for the Lower Duwamish Waterway Superfund Site, Seattle, Washington

Site: 5209 East Marginal Way S, Seattle, WA 98134
5225 East Marginal Way S, Seattle, WA 98134
601 S Myrtle Street, Seattle, WA 98108
1620 S 92nd Place, Seattle, WA 98108

King County Parcels: 1924049041 and 1924049067
1924049052 and 1924049070
2136200706 and 2924049089
0001600060

Respondent: Representative of Manson Construction Co.

Site: Lower Duwamish Waterway, Seattle WA

Manson Construction Co.

601 S Myrtle Street

1620 S 92nd Place

Seattle, WA 98108

King County Parcels: 2136200706 and 2924049089

Date: First involvement at the Site to present

INFORMATION REQUEST QUESTIONS

I. Respondent Information

a. Provide the full legal name and mailing address of the Respondent.

Manson Construction Co.

P.O. Box 24067

Seattle, WA 98124 .

b. For each person answering these questions on behalf of Respondent, provide:

i. full name; John D. Heckel

ii. title; Contracts Manager

iii. business address; and 5209 E. Marginal Way So, Seattle, WA 98134

Manson Construction Co.: COMPANY CONFIDENTIAL

USEPA SF



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iv. business telephone and FAX. 206 762 0850 Fax: 206 764 8590

c. If Respondent wishes to designate an individual for all future correspondence concerning this Site, please indicate here by providing that individual's name, address, telephone number, and fax number.

- i. full name; John D. Heckel
- ii. title; Contracts Manager
- iii. business address; and 5209 E. Marginal Way So, Seattle, WA 98134
- iv. business telephone and FAX. 206 762 0850 Fax: 206 764 8590

d. State the dates during which Respondent held any property interests at or within one-half mile of the Site.

Manson purchased the property at 601 Myrtle St. (the Site) from the Continental Group Inc. on June 16, 1982. Manson sold the property to Othello Street Warehouse in 1988. Manson leased the property from Othello Street Warehouse for a period of approximately ten years, presumably beginning in December 1988 and ending in 1998. Othello sold the property to Seattle Iron & Metals Corporation in 1998.

e. State the dates during which Respondent conducted any business activity at or within one-half mile of the Site.

Approximately June 1982 - October 1998.

f. Describe the nature of Respondent's business activities at the Site or within one-half mile of the Site.

Manson used the Site as a construction storage yard and vessel moorage facility.

In addition, Portions of the property were subleased to others. Copies of those leases are attached. It is believed that Mega Terminals, Norse Pacific & Steamship Line, Skyway Luggage Company, Northland Container Services, BD Partnership, Aqua Media, and Pacific Terminals.

Pacific Terminal used the property as a barge loading and unloading facility. Barges of rolled paper from Canada were unloaded and container barges for Alaska operated by Pac West and Pacific terminals were loaded and unloaded.

g. In relation to your answer to the previous question, identify all materials used or created by your activities at the Site, including raw materials, commercial products,



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building debris, and other wastes.

Materials include clean important fill dirt and timber piles and wharf deck. The demolition of a building on the Site generated demolition debris.

- h. If Respondent, its parent corporation, subsidiaries or other related or associated companies have filed for bankruptcy, provide:

Not applicable

- i. the U.S. Bankruptcy Court in which the petition was filed;
- ii. the docket numbers of such petition;
- iii. the date the bankruptcy petition was filed;
- iv. whether the petition is under Chapter 7 (liquidation), Chapter 11 (reorganization), or other provision; and
- v. a brief description of the current status of the petition.

2. **Site Activities and Interests**

- a. Provide all documents in your possession regarding the ownership or environmental conditions of the Site, including, but not limited to, copies of deeds, sales contracts, leases, blueprints, "as-builts" and photographs. Environmental conditions of the Site includes information related to soil, sediment, water (ground and surface), and air quality, such as, but not limited to:

- i. Any spill, leak, release, or discharge of a hazardous substance, waste, or material at or near the Site;
We do not have any specific information of individual spills, leaks, etc. See Hart Crowser Preliminary Environmental Assessment and Summary of Environmental Claims – Seattle Iron & Metals Corporation v. Continental Can Co., et al. which discusses the environmental conditions at the site before the voluntary clean up was performed by Continental Can.
- ii. Occurrences of violations, citations, deficiencies, and/or accidents concerning the Site;
Manson has researched its records and interviewed knowledgeable employees and other than contained in the documents attached, we have not records of occurrences of violations, citations, deficiencies, and/or accidents concerning the Site.



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- iii. Remediation or removal of contaminated soils, sediments, or other media at the Site; and
A Voluntary cleanup was conducted by Seattle Iron & Metals. Several thousand cubic yards of contaminated soils were exported to the off-site to landfills to be characterized and disposed. A cap was then installed.

Asbestos Abatement Service was performed in 1995. Disposal of 1,525 lineal feet of asbestos pipe and fitting insulation was abated.

Fluorescent light ballasts, not labeled 'PCB free' were assumed to contain PCB's and were removed.

- iv. Investigations, inspections, sampling, and reports generated by Respondent and/or others regarding the Site and surrounding area.
A Preliminary Environmental Assessment was performed in June 19, 1996 and describes environmental concerns with the property.

Per Department of Ecology, an Independent Remedial Action Report was prepared on May 30, 1997 by Hart Crowser. A Voluntary Cleanup Action Report was submitted to the State of Washington, Department of Ecology on March 23, 1998. A Site Investigation was prepared by Hart Crowser on February 26, 1997 and a Preliminary Environmental Assessment was dated June 19, 1996 by Hart Crowser.

Ecology has determined no further remedial action is necessary at the site.

- b. Provide information on the condition of the Site when purchased or at the beginning of the relevant time period; describe the source, volume, and content of any fill material used during the construction of the buildings, including waterside structures such as seawalls, wharves, docks, or marine ways. Additionally, describe any subsequent improvements, alterations, demolitions, or additions to the physical structures or the Site itself.

The attached Preliminary Environmental Assessment Prepared by Hart Crowser on June 119, 1996 contains a history and description of the property from 1913 to 1996. Development by Manson involved filling the area with clean, imported fill imported to the site and the construction of a timber wharf. This work was done under a U.S. Army



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Corps of Engineers permits.

- c. Provide information on past dredging or future planned dredging at this Site.

On December 30, 1965, Manson was granted a permit to dredge approximately 20,000 cubic yards of material from Elliot Bay and place the material near Myrtle Street. In 1972, Manson filled a portion of the Myrtle Street property with approximately 18,000 cubic yards of earth. In 1976, Manson filled another portion of the Myrtle Street property with approximately 65,000 cubic yards of material believed to be glacial-till dredged from the TRIDENT project (Application No. 071-OYB-1-003336).

- d. Provide a brief summary of the activities conducted at the Site while under Respondent's ownership or operation. Include process diagrams or flow charts of the industrial activities conducted at the Site.

Manson used the Site as a construction storage yard and vessel moorage facility. A portion of the Site was later leased to Pacific Terminals for use as a barge loading and unloading facility. Barges of rolled paper from Canada were unloaded and container barges for Alaska operated by Pac West and Pacific terminals were loaded and unloaded. No process diagrams or flow charts exist.

- e. Provide all documents pertaining to sale, transfer, delivery, disposal, of any hazardous substances, scrap materials, and/or recyclable materials to this property.

See answer to 2 a. iii above.

- f. Provide all information on electrical equipment used at the Site, including transformers or other electrical equipment that may have contained polychlorinated biphenyls (PCBs).

Manson has researched its records and interviewed knowledgeable employees and other than contained in the documents attached, has not found any indication of electrical equipment used at the Site, including transformers or other electrical equipment that may have contained polychlorinated biphenyls (PCBs).

Per Hart Crowser, the Seattle City Light was contracted to determine if there were any PCB containing transformers in the vicinity of the property. Twelve transformers were identified. Four of these transformers were untested and the remaining eight were either PCB free or contained less than one part per billion.



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- g. Provide information on the type(s) of oils or fluids used for lubrication of machinery or other industrial purposes, and any other chemicals or products which are or may contain hazardous substances which are or were used at the Site for facility operations.

Manson has researched its records and interviewed knowledgeable employees and other than contained in the attached documents, has not found any indication of oils or fluids used for lubrication of machinery or other industrial purposes, and any other chemicals or products which are or may contain hazardous substances which are or were used at the Site by Manson.

- h. Provide any site drainage descriptions, plans or maps that include information about storm drainage which includes, but is not limited to, above or below surface piping, ditches, catch basins, manholes, and treatment/detention or related structures including outfalls. If available, also include information about connections to sanitary sewer.

Refer to Maps attached.

- i. With respect to past site activities, please provide copies of any stormwater or drainage studies, including data from sampling, conducted at the Site. Also provide copies of any Stormwater Pollution Prevention, Maintenance Plans, Spill Plans, and any stormwater, process water, or any other discharge permits that may have been developed or obtained for different operations during the Respondent's occupation of the property.

Manson has researched its records and interviewed knowledgeable employees and has not found any indication of any stormwater or drainage studies, including data from sampling, conducted at the Site.

3. **Information About Others**

- a. Describe any business relationship you may have had regarding this property or operations thereon with the following entities:
- i. Continental Can Company;
Manson purchased the Site from Continental Can Company on June 16, 1982.
 - ii. Manson Construction and Engineering Company;
Manson Construction Co. was previously named Manson Construction & Engineering Company.
 - iii. Manson Construction Warehouse Corporation;
No information available.
 - iv. Osberg Construction Co.;



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- v. Othello Street Warehouse Corporation;
Manson sold the property to Othello in 1988 and then leased the Site from Othello from 1988 to 1998.
- vi. Rothert Steel Corporation;
No information available.
- vii. Sea King Industrial Park LLC;
No information available.
- viii. Sea King Industrial Park, Inc.;
No information available.
- ix. Seattle Iron and Metals Corporation;
Seattle Iron and Metals purchased the Site in 1989.
- x. Shalmar Group LLC; and
No information available.
- xi. Simco Properties LLC.
No information available.

b. Provide the names and last known address of any tenants or lessees, the dates of their tenancy and a brief description of the activities they conducted while operating on the above mentioned Site.

See copies of leases attached.

- c. If not already provided, identify and provide a last known address or phone number for all persons, including Respondent's current and former employees or agents, other than attorneys, who have knowledge or information about the generation, use, purchase, storage, disposal, placement, or other handling of hazardous materials at, or transportation of hazardous materials to or from, the Site.

4. Insurance Coverage

- a. Provide copies of all property, casualty and/or liability insurance policies, and any other insurance contracts referencing the Site or facility and/or Respondent's business operations (including, but not limited to, Comprehensive General Liability, Environmental Impairment Liability, Pollution Legal Liability, Cleanup Cost Cap or Stop Loss Policies). Include, without limitation, all primary, excess, and umbrella policies which could be applicable to costs of environmental investigation and/or cleanup, and include the years such policies were in effect.
Please reference attached list of Manson Construction Co.'s insurance policies dating from 1958 to 2008, attached as "Exhibit 4 a." Manson Construction will make the full copies of these documents available for review upon request.



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Other insurance certificates may contain insurance that could be applicable.

- b. If there are any such policies from question "4a" above which existed, but for which copies are not available, identify each such policy by providing as much of the following information as possible:

N/A.

- i. the name and address of each insurer and of the insured;
- ii the type of policy and policy numbers;
- ii. the per occurrence policy limits of each policy; and
- iii. the effective dates for each policy.

- c. Identify all insurance brokers or agents who placed insurance for the Respondent at any time during the period being investigated, as identified at the beginning of this request, and identify the time period during which such broker or agent acted in this regard.

Manson Construction's broker from 1976 to present:

Gary Stone, CPCU, ARM
Senior Vice President
Brown & Brown of Washington, Inc.
1501 Fourth Avenue, Suite 2400
Seattle, WA 98101

206 656 1645 voice
206 956 9600 main

- d. Identify all communication and provide all documents that evidence, refer, or relate to claims made by or on behalf of the Respondent under any insurance policy in connection with the Site. Include any responses from the insurer with respect to any claims.

See Carney Badley Spellman letters dated December 23, 1997, September 6, 2002 and September 13, 2002.

- e. Identify any previous settlements with any insurer in connection with the site, or for any claims for environmental liabilities during the time period under investigation. Include any policies surrendered or cancelled by the Respondent or insurer.

A settlement was made in the Seattle Iron & Metals Corporation v. Crown Cork et al.

5. **Compliance with This Request**

- a. Describe all sources reviewed or consulted in responding to this request, including, but not limited to:



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i.the name and current job title of all individuals consulted; the location where all documents reviewed are currently kept.

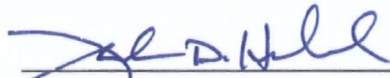
Glenn Edwards, former President
Pat McGarry, Vice President

Company Confidential

DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of Respondent and that the foregoing to the best of my knowledge is complete, true, and correct.

Executed on November 11, 2011.



Signature

John D. Heckel

Type or Print Name

Contracts Manager

Title

Mailing Address:

John Heckel
Contracts Manager
Manson Construction Co.
5209 East Marginal Way S
Seattle, WA 98134